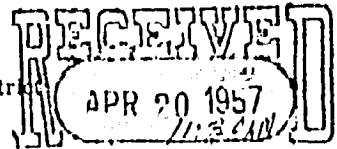


1. Considered May 15, 1957
2. Name of Applicant The Generalman Corp. #464-3
3. Post Office Address Mitchell S. Doss
4. Amount of water claimed 5.00 cfs
5. Source of water supply Tamias River
6. Water to be used for irrigation
Acres to be irrigated 350
7. Water to be diverted and used in Davison County about
5 miles Northwest of Mitchell.
8. Proof of Publication Received ✓
Not Received ✓
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 464-3Water Division No. 3 James River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES DIVISION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.) JIM-REC-AG, INC.

1. Name of applicant The Geyerman Corporation
 Postoffice address Mitchell, County Davison, State S. Dak

I. If a corporation

(a) Name of same THE GEYERMAN CORPORATION(b) Date and place of incorporation Feb. 1, 1947(c) Amount of capital stock ~~\$146,800~~ \$100,000(d) Amount paid in \$46,800

(e) Names and addresses of directors Fred Geyerman Mitchell, S.D.
John E. Geyerman Mitchell, S.D.
Fred Geyerman, Jr. Mitchell, S.D.

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract(b) Cash on hand, \$ 1500

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Geyerman Sec. 36-104-60 Irrigation Project3. Amount of water claimed 5 cubic feet per second or 2250 g.p.m.4. Source of water supply James River across Section

5. Location of point of diversion East or left bank of James River in Section 36
Between South line of Section 36 and a line 370 ft. north of the
South line of said Section 36 on east bank Davison County.

6. Annual period or periods during which water is to be used Whenever it is conducive to supplying water
for irrigation, stock watering, fire protection or domestic use.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Either(a) Number of acres to be irrigated 350 acres.N¹ Section 36(b) Legal subdivisions to be irrigated S¹ Section 36-104-60 and upland indicated on the map of/

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

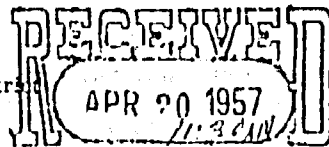
(c) Statement as to domestic use (giving location, etc.) At any and all building sites occupied
on said land.

II. Stockwatering, milking, milling, power, fish culture, fire protection and public recreation:

land processing.

(a) Nature of use Stock watering, fire protection, irrigation and farm products from said
 Name any of the above uses claimed

Map No. 35-8-3

No. 464-53Water Division No. 3 James River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES DIVISION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through item, if not applicable.) JIM-REG-AG, Inc.

1. Name of applicant The Geyerman Corporation
 Postoffice address Mitchell, County DeWitt, State S. Dak.

I. If a corporation

(a) Name of same THE GEYERMAN CORPORATION(b) Date and place of incorporation Feb 1, 1947(c) Amount of capital stock 11-11-50 \$100,000(d) Amount paid in \$46,800

(e) Names and addresses of directors Fred Geyerman Mitchell, S.D.
Jean E. Geyerman Mitchell, S.D.
Fred Geyerman, Jr. Mitchell, S.D.

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Contract(b) Cash on hand, \$ 1500

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Geyerman Sec. 36-104-50 Irrigation Project3. Amount of water claimed 5 cubic feet per second on 2250 a.c.4. Source of water supply James River across Section

5. Location of point of diversion East or left bank of James River in Section 36
Between south line of Section 36 and a line 270 ft. north of the
south line of said Section 36 on east bank DeWitt County.

6. Annual period or periods during which water is to be used whenever it is conducive to supplying water
7. To be used for:I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Either(a) Number of acres to be irrigated 350 acres.(b) Legal subdivisions to be irrigated Section 36-104-50 and upland indicated on the map of/

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) at any and all building sites occupied
on said land.

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Stock watering, fire protection, irrigation and farm products from said
land processing.
Name any of the above uses claimed

Map No. 35-7-3

8. Estimated cost of work:

(a) Head Gates, \$ None(b) Pumping plant, \$ 3000(c) Fluming, \$ None(d) Canal-earth, \$ NoneRock, \$ None(e) Other structures Aluminum pipe & sprinklers \$ 4000Total, \$ None

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

- (a) Dam: Height None feet; length at bottom None feet; length at top None feet; thickness at bottom None feet; thickness at top None feet; slope at front water face None; slope at back face None; material used in construction None
- (b) Reservoir: Capacity when filled None acre feet. Surface area at highwater mark None acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width None feet; height None feet;
Material None

(d) Canal: Total length None miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet
At <u>None</u> Mile	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet	<u>None</u> feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work five years.11. Time required for complete application of water to the proposed beneficial use five years.12. Choice of newspaper for publication of notice of intention to appropriate Mitchell Daily Republic

STATE OF SOUTH DAKOTA

County of Davison

ss.

I, F. J. Geyerman, President of The Geyerman Corp., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this

day of

10-57

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

GEYERMAN SECTION 36-104-60 IRRIGATION PROJECTS
DAVISON CO., S.DAK.

PROJECT NO. USING RIVER WATER

PROJECT NO. USING SUBSURFACE WATER

NOT INCLUDED IN THIS PROJECT.

36

POINTS OF DIVERSION
East or left bank of James River
in Section 36.

I, Edward K. Mather, a duly licensed Land Surveyor, in and for the State of South Dakota, do hereby certify that the accompanying map shows the land to be watered from one or more sources of water supply by pumping and sprinklers under the GEYERMAN WATER PERMITS or Water Rights.

In Witness Whereof I have hereunto set my hand and seal this 9th day of April, 1957.

Edward K. Mather
Licensed Land Surveyor

State of South Dakota)
County of Davison) ss

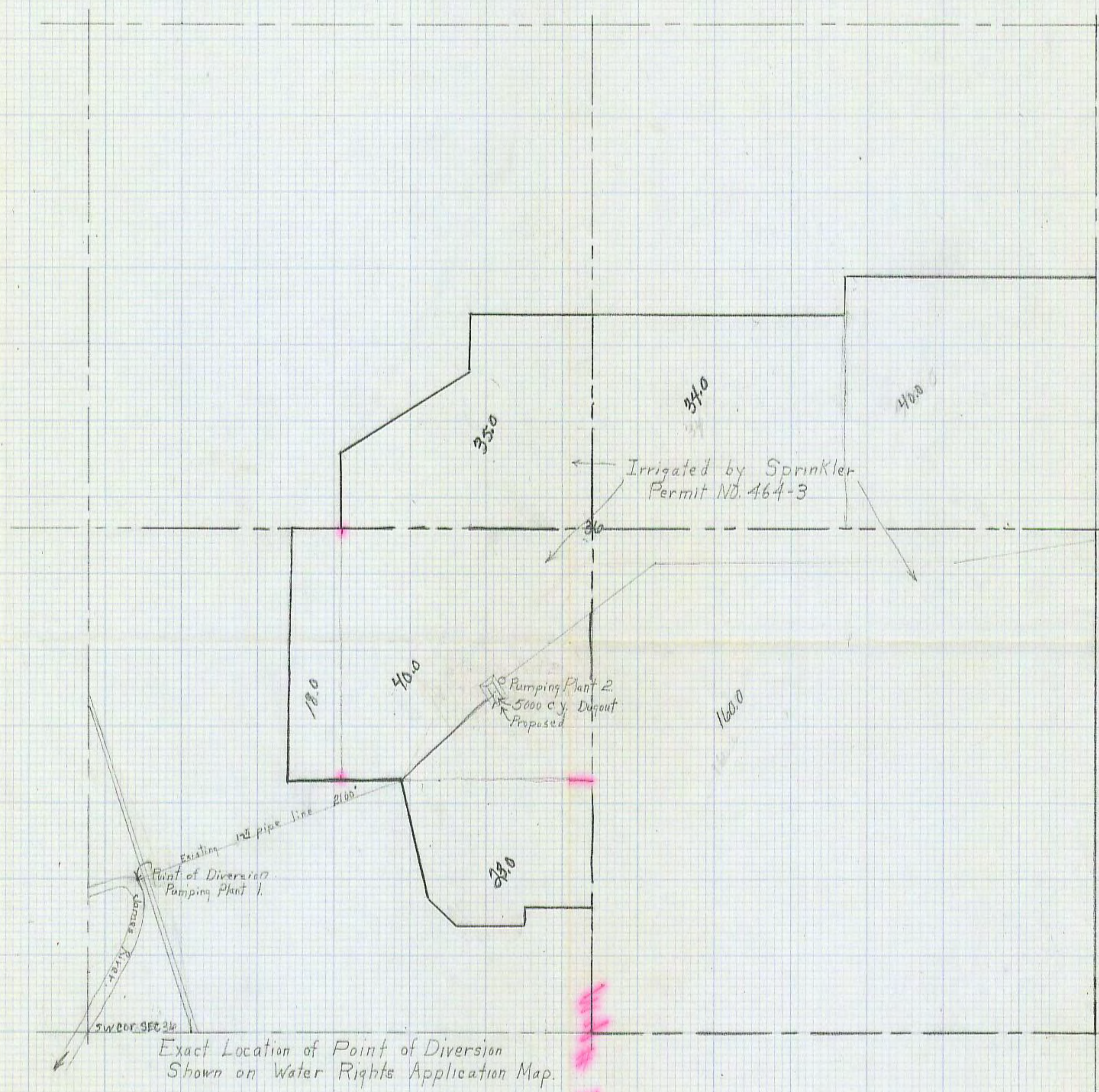
On this 9th day of April, 1957, before me, Elsie Hanson, the undersigned officer, personally appeared Edward K. Mather, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained.

In Witness Whereof I have hereunto set my hand and official seal.

My Commission Expires: June 23, 1959

Elsie Hanson
Notary Public, South Dakota

Map No. 358-3
(App's No. 464-3
465-3)



Permit NO. 464-3
Priority Date April 20, 1957
Inspected December 29, 1959
Area Irrigated - 350 Ac. Normally

Exact Location of Point of Diversion
Shown on Water Rights Application Map.

Scale 1"=400'

Geyerman Corporation			
Irrigation Project			
Permit No. 464-3			
Sec 36-104-60			
U. S. DEPARTMENT OF AGRICULTURE			
SOIL CONSERVATION SERVICE			
Designed _____	Date _____	Approved by _____	Title _____
Drawn <u>L. E. Andersen</u>	<u>4/5/66</u>	_____	_____
Traced _____	_____	_____	_____
Checked _____	_____	_____	_____

(Appl. # 464-3)

Map # 358-3

Remarks by State Water Resources Commission:

The pumping rate of 5.00 cubic foot per second may not be exceeded from either or any combination of diversion points under applications 464-3 and 465-3.

Flows in this stream fluctuate a great deal during various seasons of the year. Because of this condition, use of water under this permit may require restriction at times in order to assure that water is available in the stream at all times to satisfy domestic use and prior water right supplies. In granting this permit, the Commission believes that the degree of restriction will not reduce seriously the benefits to the application.

Sioux Falls, South Dakota, April 20, 1957

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock a.m. upon the 20 day of April, 1957

State Water Resources Commission

By:

Joseph Brimer

Chief Engineer, Executive Officer

Number of permit 464-3

Date of first receipt of application April 20, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 20, 1957

Approved May 15, 1957, Recorded in Book 4 Page 82

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 15, 1959

2nd. The whole of said work is to be completed on or before May 15, 1962

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

May 15, 1962

4th. The water appropriated shall be used for the purpose of irrigation, fire protection and crop processing

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 5.00 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 15, 1962; said water to be used during the following described annual period:

Continuous

Witness my hand this 18 day of June, 1957

State Water Resources Commission

By:

Joseph Brimer

Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 13, 1969

Water License Issued AUGUST 13, 1969

464-3

Project 464-3 - Geyerman River Project

Please add the following to the map:

"Contributing Right to River Water"

"A Circuit Court Case in Hanson Co. in S.D. Docket 446 John R. White vs Henry C. Davison et al pertains to an Agreement found in the Register of Deeds Office Miscellaneous Record B Page 25. dated September 10, 1894 which pertains to right of the Whites Mills (a flour mill installation) located in Hanson Co. to raise water level in the James River 6'3" at the dam site and extending up stream across Sec 36-103-60 which gives a vested right to water stored in the river as source of water supply for Irrigation Project 464-3."

WATER LICENSE NO. 464-3

(1) WHEREAS, On the 20th day of April A. D. 19 57
the Geyerman Corporation

made Water Right Application No. 464-3 for a permit to use 5.0 cubic feet per second of the water
 of the James River
 County of Davison, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 18th day of Jan June A. D. 19 57

Permit No. 464-3, with a date of priority of April 20, 1957

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 15th day of May A. D. 19 62 and for the
 application to beneficial use of said water on or before the 15th day of May A. D. 19 62

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 5.0 cubic feet
 per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 36, T104N, R60W

	Acres
SE $\frac{1}{4}$	160
SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
SW $\frac{1}{4}$ NE $\frac{1}{4}$	36
SE $\frac{1}{4}$ NW $\frac{1}{4}$	35
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
NW $\frac{1}{4}$ SW $\frac{1}{4}$	18
SE $\frac{1}{4}$ SW $\frac{1}{4}$	23
Total	350 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to the Geyerman Corporation

_____ of Mitchell
the holder _____ and owner _____ of said permit No. 464-3 a water right, dating from April 20, 1957
_____ to use of 5.0 cubic feet per second of the waters
of the James River

in the County of Davison and State of South Dakota, or so much thereof as may be necessary for the
purpose herein mentioned, to be diverted to: between a point at the SW Corner, Section 36, T104N,
R60W, and a point on the W Section line, 860' N of the same corner

and conduct to and upon 350 acres in portions of Section 36, T104N, R60W, described on the
front of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 464-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 13th day of August _____ A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 464-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That The Geyerman Corporation

_____ the holder _____ of
Permit No. 464-3, issued upon Application No. 464-3, bearing date of priority of April 20,
1957 authorizing the diversion of 5.0 cu. ft. per second of the waters of _____
the James River County of Davison, State of South Dakota ak
between a point at the SW Corner, Section 36, T104N, R60W, and a point on the
west section line, 860' N of the same corner

_____, for irrigation

_____, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 7.35 cu. ft. per second of water.

Date August 13, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

JWG/VPJ/bw
Encl: As stated

RECEIVED
MAY 15 1957
PROOF OF PUBLICATION
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA }
County Davison } ss.

E. M. Brady being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Daily Republic a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

City of Mitchell County of Davison and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 23-April 30-May 7-May 14, 1957

in each and every issue of the full number thereof, the first publication being made on the 23rd day of April 1957 and the last publication on the 14th day of May 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Manager the printer and publisher of the said newspaper.

E. M. Brady

Subscribed and sworn to before me this 14th day of May A. D. 1957

Reuben Hill
Notary Public Davison County, S. D.

APPROPRIATION OF WATER
No. 4643
Office of State Water Resources Commission, Pierre, S. Dak., April 20, 1957.
Notice is hereby given that The Geyerman Corporation whose post-office address is Mitchell, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.0 cubic feet of water per second of time from the James River through the Geyerman Irrigation Project, the point of diversion of which is to be located on the east bank of said stream between two points: In the SW 1/4 of the SW 1/4 of Section 36 Twp. 104 N Range 60W. Said water to be used for the purpose of providing irrigation on the following described land: Sec. 36, T 104 N, R 60W and for domestic, fire protection and farm products processing purposes. This application will be taken up by the Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 1957, at 4:00 P.M. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: J. W. Grimes
Chief Engineer,
Executive Officer

No. 464-3(First Publication of 1957, 4 in 1957, 23, 1957)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., Apr. 30, 1957

Notice is hereby given that The Geyermann Corporation whose postoffice address is Mitchell S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.0 cubic feet of water per second of time from the James River through the Geyermann Irrigation Project, the point of diversion of which is to be located on the east bank of said stream, between two points in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36 Twp. 104 N Range, 60 W. Said water to be used for the purpose of providing irrigation on the following described land: Sec. 36, T104 N, R60 W.

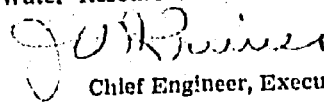
and for domestic, fire protection and farm products processing purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15 day of May, 1957, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:



Chief Engineer, Executive Officer

ARTICLES OF INCORPORATION

THE GEYERMAN CORPORATION

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, F. J. GEYERMAN, JEAN E. GEYERMAN AND

Ellery E. Kelley

for ourselves, our associates and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows, viz:

FIRST

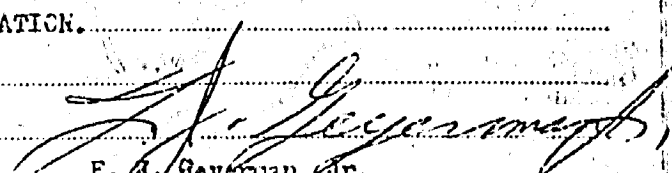
The name of this corporation shall be THE GEYERMAN CORPORATION

SECOND

The purpose for which this corporation is formed is to buy, sell, rent and exchange real property improved and unimproved and the management and development of real property generally. To purchase, hold, own, mortgage, lease, sell, assign and transfer, and deal in real property, goods, ware and merchandise and property of every kind and description. To mortgage, pledge, assign and lease any or all property of any kind and nature owned by it and handled by it. To buy and sell mortgages and securities of all kinds. To own, buy and sell live stock of all kinds and of every description and mortgage and pledge the same, and to carry on any of the above business or any other business connected therewith fully and to the same extent as natural persons could do.

I hereby certify that this is a true copy of the Articles of
Incorporation of THE GEYERMAN CORPORATION.

Dated: 7 March 1957


F. J. Geyerman, Jr.
Secretary-Treasurer

THIRD

The place where the principal business of this Corporation shall be transacted is the city of
Mitchell, in the County of Davison
State of South Dakota, but a business office may be located at any place
named by the Board of Directors.

FOURTH

The term for which this Corporation shall exist shall be Twenty Five (25) years.

FIFTH

The number of Directors of this corporation shall be Three (3)
and the names and residences of such who are to serve until the election of their successors are as follows:

NAMES

RESIDENCES

F. J. Geyerman

Mitchell, South Dakota

Jean E. Geyerman

Mitchell, South Dakota

Ellery E. Kelley

Mitchell, South Dakota

SIXTH

The amount of the Capital Stock of this Corporation shall be and is \$100,000.00
*****One Hundred Thousand***** DOLLARS,
divided into One Thousand (1000) shares
of par value of One Hundred (\$100.00) DOLLARS
each, fully paid and nonassessable.

SEVENTH

No stockholder shall be liable for the debts of the Corporation in any amount greater than his unpaid sub-
scription.

EIGHTH

The resident agent of this Corporation upon whom service of process may be made shall be
of South Dakota,
and service upon him shall be taken and held as due and personal service upon this Corporation.

(Note:--The above Article applies only to corporations of this State not doing or carrying on business
within this State.)

IN TESTIMONY WHEREOF, We have hereunto set our hands this 28th day
of January, 1942.

F. J. Geyerman

Jean E. Geyerman

Ellery E. Kelley

STATE OF South Dakota }
County of Davison } ss.

BE IT REMEMBERED, That on this 28th day of January,
A. D., 1947, before the undersigned personally appeared the above named F. J. Geyerman
Jean E. Geyerman, and Ellery E. Kelley

well and personally known to me to be the same persons described in and who executed the foregoing instrument, and severally duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said County the day and year last above written.

Herbert Hitchcock
Notary Public.

STATE OF _____ }
County of _____ } ss.

BE IT REMEMBERED, That on this _____ day of _____
A. D., 19____, before the undersigned personally appeared the above named _____

well and personally known to me to be the same persons described in and who executed the foregoing instrument, and severally duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said County the day and year last above written.

Notary Public.

STATE OF South Dakota }
County of Davison } ss.

F. J. Geyerman, and Ellery E. Kelley

being duly sworn, each for himself deposes and says: That he is one of the persons described in and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has read said articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of a lawful business, as set forth in said articles, and not for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.18 SDC of 1939, relating to unlawful trusts and combinations, and laws amendatory thereto.

Subscribed and sworn to before me this 28th day of January, 1947

Herbert Hitchcock
Notary Public.



SOUTH DAKOTA
State Water Resources Commission

J. W. GRIMES, CHIEF ENGINEER AND EXECUTIVE OFFICER
STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

July 8, 1959

Mr. E. J. Geyerman, President
Geyerman Corporation
Mitchell, South Dakota

Dear Mr. Geyerman:

The South Dakota water laws (Chapter 430, Session Laws of 1955, as amended) provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the North Dakota-South Dakota state line and the point where the East line of Range 56 crosses said James River (approximately 10 miles North of Yankton, South Dakota) shall cease effective July 11, 1959 and until further notice.

This order is necessary in order to maintain domestic use, including stockwater, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your water right 464-3 in accordance with this order. You will be notified when water supplies in the James River are sufficient to again permit irrigation water withdrawals.

Sincerely,

J. W. GRIMES
Chief Engineer

cc: Each of the Water Resources Commissioners

EDWARD K. MATHER, C. E.
MANAGING ENGINEER

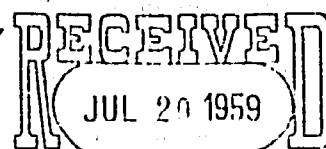
708 E. THIRD AVE.

DAKOTA ENGINEERING COMPANY

CONSULTING CIVIL ENGINEERS

MITCHELL, S. D.

July 18, 1959



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water Resources Commission
Pierre, South Dakota

Attention: Mr. Grimes

Gentlemen:

I was very glad you told me of the pending action with reference to shortage of water used along the James River for irrigation on account of the pending situation at Huron. If you remember I raised question with reference to the dams and my experience back in 1909 when I was checking the influence if any of the dams on river water elevation. I know you have a problem in dealing with water users along the river who are entitled to consideration on a priority basis, if there is any justification for the emphasis that is being put upon priority in all water rights matters. I gave quite a little thought to the problem prior to the time that the notice in the paper listed a lot of water right users from the Geyerman land east of Mitchell and up-stream therefrom for a long way, so as soon as I could get away from other work I went out and took some levels. Immediately east of Mitchell on highway 16 is a dam below the high 16 bridge which now has a drop of several feet but there is apparently the same amount of water going over the dam as before notice to stop pumping was sent out. Up-stream from this dam is the old White Mill dam which furnished water for a grist mill that was operated during the early settlement of this area. At the mill dam I found the water level above the dam was approximately 1.7 feet above the water level below the dam. There was a small amount of water going over this dam. I then went up to the Geyerman place and found his pump which has a capacity of 1000 gallons per minute when pumping water from the river to the land he is irrigating. You will notice his water right has given him title to something over 4 second feet of water but he is using and has used only one 1000 gallon per minute pump and pumps each year between 1600 and 1800 hours during the entire year.

The Geyerman permanent suction pipe which extends well out into the river showed by discoloration that the present water level in the river is approximately 1.3 feet below the normal water level of the river at the pump site which is approximately 1 1/2 air miles up-stream from the White Mill dam. There is about the same water flow over the White Mill dam as there is flowing over the highway 16 dam.

At Geyermans I took a cross section of the river and found as follows: with 0 at the normal water edge on the east side of the river and with water level now 1.3 feet below the normal water level I find the water 20 feet from the east bank is 2.3 feet below water level at present time. Other readings are as follows: 31 feet out 3.3, 42 feet out 3.8, 49 feet out 4.1, 57 feet out 4.2, 63 feet out 4.4, 73 feet out edge of water, 87 feet out normal water edge

July 18, 1959

on west side of the river. This makes normal water level at Geyermans 5.7 feet above level below the White Mill dam which is proof of a sizable water storage in the river.

The river makes an extremely sharp turn immediately above the point where the Geyermans cross section was taken and the low velocity of flow is such that the west side of the stream carries little high velocity and low edge of bed at the inside of the curve could be expected instead of on the outside of the curve where there is no high velocity of flow to carry silt.

Then I went about 4 miles north to a river crossing in the vicinity of Mr. Nugents land who I believe has a water right. I believe the water level should be upwards of 3 feet above the water level at Geyermans, so far as sea level water elevations go, but as per low water conditions in the river there is no back up from the dam and natural water cross section should exist regardless of any dams downstream beyond the effect of the water storage above the dams. West of Nugents I took depths starting from the west side of the bridge and found as follows: 8 feet out to edge of water, 23 feet out 0.9, 40 feet out 1.1, 65 feet out 1.2, 71 feet out 1.3, 81 feet out 0.7, 92 feet out east edge of the water stream, 110 feet out bridge abutment.

Then I went up-stream to the crossing of U. S. highway 37 north of Mitchell and the river. There appeared to be something of a dam up-stream a few feet so I went up there and found a rocky ford with water flowing between rocks and low apparent velocity. There is not material difference in water level above as compared with the water level below the ford. In other words it does not act as a dam. The stream width and depth at the rock appeared to be comparable to the stream width and depth at the Nugent land approximately 20 air miles down-stream.

What I am trying to say is that the evidence clearly indicates that there is stored water available at the Geyerman property which can be used without affecting available water at Nugents or other up-stream points and that on a matter of priority Geyerman as a water right holder should be permitted to continue taking water from the river because he is not taking water from possible upstream users.

This year Geyerman has about 200 acres of corn and 120 acres of alfalfa. Last year he had about 180 acres of corn and the balance in grain. This year his corn and alfalfa have been looking fine and if given water within the week will undoubtedly give him a yield of 90 bushels per acre and 4 cuttings of alfalfa. If no water is applied, two cuttings of alfalfa and a bunch of corn stalks is approximate yield to be expected upon his land. I believe as a matter of equity and as a matter of law he should be released from the ban of irrigation that probably affects up-stream owners who are not pumping from the stored water basin immediately up-stream from the dam.

The above investigation was made by the undersigned without authorization from Mr. Geyerman who has been away from Mitchell for a considerable length of time and is not being made for or is in any way influenced by him. I simply felt that in this and other cases care should be taken, and if necessary investigations made to determine how low the river is and as to the limitation as to use

July 18, 1959

of water which should be made to apply. This is the reason why on recent river projects we have used a sketch of the river dams with reference to the land covered by the application that is being made. I'll grant there may be some difficult problems to solve on equitable basis but believe the evidence in this case are very clear that ^{he is using} stored water and not restricting the available water to up-stream users. The overflow at down-stream dams and the large sewage flow from Mitchell should supply down-stream owners until a partially empty dam is found.

I have heard of an owner on the river east of Mitchell has applied for a water right and probably has a permit, I don't know but I am told that he has no pumping machinery and has used none for more than 3 years and that he says irrigation does not pay. I do not know who if anyone could have made a complaint but I am sure that the advantages of irrigation occurring to Mr. Geyerman may be the case of envy by other people who do not have the money to finance big pumps and 135 horsepower Crysler engines to make possible increased crops on the highland he has been getting for the past 2 years.

I think Mr. Geyerman's period for installation of the plant has not arrived but I was talking with him this morning and he suggested he would like me to make a report for him at some convenient early date and I think at the same time his application for a well water right should be changed because his several former attempts with well water resulted in yield of 200 gpm or less and I don't think that 200 gpm from the chalk rock can be maintained long enough to be of material value from an irrigation standpoint. It is not being obtained by the municipalities who want it for a municipal supply.

We are much interested in the developments of irrigation and the application of the water right law in eastern South Dakota and would appreciate your comments on the foregoing report.

Respectfully yours,

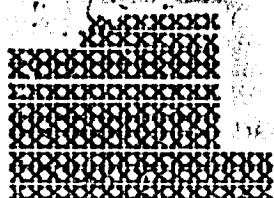
DAKOTA ENGINEERING COMPANY

By

Edward K. Mather

EKM:dm

Inquiry of one Russian Colonel from Elm Spring Colony, S.D. says there is no dam at any of the S.D. Colonies except at Milltown and at Rockfort which has failed so it does not hold water between Mitchell and the Missouri. Maxwell dam has failed completely. A dam that holds flood water and subsequent flow from the watershed is good for the country and for those who can use some of the stored water otherwise its total value is not realized.



July 25, 1959

Mr. Heiam
R. R. 1
Mitchell, South Dakota

Dear Mr. Heiam:

By telephone on July 22, 1959, you requested relief from the existing stop-order for irrigation withdrawals of water from the James River.

Examination of flows in the James River on July 23, 1959 indicates that there is barely enough flows in the river at your location to maintain stockwater which has preference over use of water for irrigation purposes under provisions of state water laws. Because of this condition, I am sorry to say that the irrigation stop-order, as stated in my letter of July 8, 1959 to the Geyerman Corporation, must remain in force.

Water which is ponded in the James River by either natural or man-made dams is not available for irrigation use unless a low level controlled outlet is built in the dams. Such an outlet is necessary to pass domestic use flows through the pond when irrigation withdrawals lowers the pond water surface below the overflow portions of the dam. Consequently, the ponded water in the James River at the point of your irrigation diversion is not available for irrigation withdrawal unless sufficient flows for domestic use (stockwater) are flowing over the dam. At the present time the amount flowing over the dam is not sufficient. This matter was discussed with Mr. H. K. Mather on July 23, 1959.

I am sorry that I do not have a favorable answer to your request.

Sincerely,

JWG:ls

cc Mr. Edward K. Mather, 708 E. Third Ave.
Mitchell, South Dakota

J. W. GRIMES
Chief Engineer

46.3

46.3

July & Aug 1959 letters and
answers to Edward Mether re
James Piner see IV 1959 Louisiana
Water Permit - correspondence file

March 14, 1960

Geyerman Corporation
Mitchell, South Dakota

Gentlemen:

In July of 1959 you, as holder of a permit to irrigate with water from the James River, received a letter from this office directing you, effective July 11, 1959 to cease withdrawals of water from the James River for irrigation purposes until further notice.

This letter is written to inform you that you may resume your irrigation withdrawals as specified in your permit.

You should bear in mind, in planning your irrigation, that summer and fall flows on sections of the James River have not been adequate for irrigation withdrawals during some years of stream flow records and that irrigation restrictions are likely in the future.

Sincerely,

J. W. GRIMES
Chief Engineer

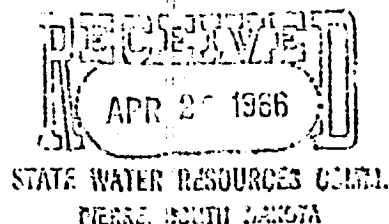
JWG:ls

COPY

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

April 19, 1966

Mr. Jo W. Grimes
Executive Officer
Water Resources Commission
State Office Building
Pierre, S.Dak. 57501



Dear Mr. Grimes:

Enclosed is the plan you requested me to draw on Geyerman's irrigation project. You will note that I showed the approximate point of diversion, the pipeline, and the proposed location of the reservoir.

Mr. Geyerman wants to change his system of pumping into his irrigation system by constructing a reservoir in the irrigated field and pumping into it with his present pump and 8" line. Then he will use a second pumping plant to pump the water out of the reservoir into his present sprinkler system. The reason he gave me for the change is that his 8" pipeline is getting old and will not last long if he continues to maintain the 125 pounds of pressure required in the sprinklers. Where as if he can reduce this pressure by pumping into a reservoir it will last several years longer.

The proposed structure planned is a dugout of approximately 5000 cubic yards. At the present rate of water application on the land this dugout would hold about a 1 to 2 day supply of irrigation water. This small amount of water stored would not be sufficient to continue irrigating for over a couple of days in case the river flow dropped to a level where he would be required to stop pumping.

I will appreciate you giving this matter your prompt attention and let Mr. Geyerman know as he is anxious to get started on the structure.

Yours Truly,

Laurita E. Pedersen
Agric. Engineer, SCS

cc; Robert Richter, Area Conservationist, SCS, Sioux Falls, S.Dak. 57101
James C Hunt, Work Unit Conservationist, SCS, Mitchell, S.Dak. 57301

April 29, 1966

Mr. F. J. Geyerman, President
The Geyerman Corporation
Mitchell, S.D.

Dear Mr. Geyerman:

The sketch of the proposed dugout to be incorporated into your irrigation system under permit 464-3 has been received from Mr. Pederson of the Soil Conservation Service. We have filed it with your water right.

As this is an internal change within your existing system, and no additional water will be used, no further permit is required. You may consider this letter authorization to proceed with the construction of your proposed dugout.

Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Right Specialist

BFJ:mf

CC: Mr. Lauritz E. Pederson
Agricultural Engineer
Soil Conservation Service
Mitchell, S.D.

Permit No. 464-3Water Division 3 JAMES RIVER Water District

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by The Geyerman Corporation of Mitchell, South Dakota holder of Permit No. 464-3, bearing date of priority of April 20, 1957 authorizing the diversion of 5 cu. ft. per second of the waters of the James River for irrigation purposes, in Davison County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Berkley pump CW 10" B86 RBM
General Motors 120 H.P., Diesel Engine, Mod. 471

B. Works used to transport water to place of use,

2100 Linear feet 12 inch pipe line
Dugout 150' x 250' x 18'
3400 Linear feet canal, 20' x 10' cross-section (converted drainage ditch)

C. Works used to apply water to beneficial use.

Berkley 6" pump, Chrysler Industrial, 413 propane engine. 3/4 mile 6" aluminum pipe, 1/2 mile 8" aluminum pipe, to three 140 Vemeer sprinklers, 500 gpm. @ 85 lbs. per square inch.
Cornell 6" pump & G.E. 60 H.P. Electric Motor, plus Berkley 6" pump and Chrysler Indust. 56A. propane engine. 1/4 mile 10" Aluminum pipe, 1/3 mile 8" aluminum pipe, 1/6 mile aluminum pipe to 4 tow lines each, 1/4 mile, 4" dia. sprinkler, every 40 feet @ 55 lbs. The system is in the following condition: Excellent per square inch.)

The point of diversion is located between a point at the SW Corner of Sec. 36, T104N, R60W,
and a point on the west section line, 860 feet north of the same SW Corner.

The works are capable of diverting and conveying to the place of use 7.35
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 36, T104N, R60W

SE 1/4	160 acres	NE 1/4 SW 1/4	40 acres
SE 1/4 NE 1/4	40 acres	NW 1/4 SW 1/4	18 acres
SW 1/4 NE 1/4	34 acres	SE 1/4 SW 1/4	23 acres
SE 1/4 NW 1/4	35 acres		

comprising a total of 350 acres of land.Date July 9, 1969

Donald Driscoll
(Signature)
DONALD DRISCOLL, Deputy Chief Engr.
Water Resources Commission

464-3 1357-3 &
1752-3

December 18, 1972

Mr. Roger Baldwin
Hitchell Realty Company
Box 936
Hitchell, South Dakota 57301

Dear Mr. Baldwin:

Per our telephone conversation this morning, following is the data on Water Rights held in the name of the Geyerman Corporation.

Water License No. 464-3 was issued August 13, 1969, calling for the diversion of 5.0 c.f.s. of water from the James River for irrigating 350 acres in Portions of Section 36, T104N, R60W.

Water Permit No. 1357-3 was issued March 20, 1967, calling for the diversion of 9.15 c.f.s. from the James River for irrigating 640 acres in the W $\frac{1}{2}$, Section 30 and the W $\frac{1}{2}$, Section 31, T104N, R59W.

Water Permit No. 1752-3 was issued July 28, 1970, calling for the diversion of 2.28 c.f.s. from the James River for irrigating the SE $\frac{1}{4}$, Section 31, T104N, R59W.

You will note that the Water License has been issued on No. 464-3. This is the final document on acquisition of a water right. The other two are in the Permit form, and a field inspection will have to be performed by this office before the final papers can be issued.

We are enclosing three copies of our Form 20, Notice of Transfer of Water Permit, for your use when the sale is completed.

Should you have further questions, feel free to contact this office.

Sincerely,

BURTION F. JONES
Water Rights Specialist

BFJ/bw
Encl: Form 20 (3)

1752-3; 464-3 and 1357-3

COMMISSION

John M. Garhart, Spearfish
Fester Brue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton E. Fischer, Millsbank
Richard Lemmen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Crestbard

South Dakota

WATER RESOURCES COMMISSION

State Office Building #2
PIERRE, SOUTH DAKOTA 57501

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE
224-3584
Area Code 605

August 7, 1970

Mr. W.C. Heien
The Geyerman Corp.
801 S. Sanborn
Mitchell, South Dakota

Dear Mr. Heien:

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights." and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses, ---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the north boundary of Spink County and the south boundary of Hanson County shall cease effective 6:00 P.M., August 10, 1970, and until January 1, 1971, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 1752-3; 464-3; 1357-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1970. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. Grimes
J.W. GRIMES

JWG/DD/bw

P.S. The Water Permits of almost every water right holder receiving this letter contains the August 10th irrigation stoppage qualification or a low flow qualification which prohibits the diversion of water from the existing low flows of the James River, even if this special order were not issued.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date March 1, 1973

This is to notify you that title to the lands described as follows:

All of Section 36, except Lots A, C & D, Township 104,N, Range 60,W, Davison County,
South Dakota, the W $\frac{1}{2}$ and NE $\frac{1}{4}$ of Section 30, and the W $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 31,
Township 104,N, Range 59, W, Hanson County, South Dakota
formerly owned by The Geyerman Corporation

has been transferred to Jim - Rec - Ag, Inc., P.O. Box 936
Mitchell, South Dakota 57301

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
464-3, 1357-3, & 1752-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

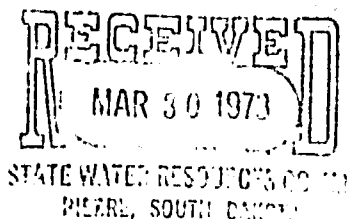
STATE OF SOUTH DAKOTA)
County of Davison) ss.

I, Dan J. Koupal, Secy. being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

By Jim - Rec - Ag, Inc. Secy.
(Signed) [Signature]

Suscribed and sworn to before me this 7th day of March, 19 73

[Signature]
(Notary Public)



464-3, 1357-3 & 1752-3

August 17, 1973

Mr. V.R. Palmer
Route 61
Mitchell, S.D. 57301

Dear Mr. Palmer:

Reference is made to your letter of August 14, 1973 regarding diversion of water from the James River by Geyerman, Inc.

I have been in contact with Mr. Baldwin, business manager of Jim-Rac-Ag., Inc., who have taken over the Geyerman Inc. irrigation. He informs me that the irrigation was stopped at lease by August 15, 1973 and there will be no further irrigation this year.

Sincerely,

DONALD BRISCOLL
Chief Engineer

DD/bv

cc: Roger Baldwin, Box 936, Mitchell, S.D. 57301



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 10, 1982

Gary Rowley
318 N Foster
Mitchell SD 57301

Dear Mr. Rowley:

In a conversation with Mrs. Leonard Rowley, August 9, 1982 concerning an address for Jim, Rec, Ag Inc, she indicated you were now the operator of the land covered under these permits. The files concerning these permits will be corrected to reflect this change. Jim, Rec, Ag Inc. will still be listed as the owner.

Mrs. Rowley also indicated you had some question as to the cutoff dates for these permits. Enclosed please find a copy of Water Right No. 464-3, Permit No. 1357-3 and Permit No. 1752-3. Please note the qualifications on the top of the second page of each permit. Water Right No. 464-3 has no specific cutoff date, and Permit No. 1357-3 and 1752-3 both have August 10th cutoff dates.

If you have any questions concerning the enclosed material, please contact this office.

Sincerely,

Genny Young
Water Rights Specialist

GY:ks

enclosure

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 18, 1988

1752-3

1357-3

464-3

Dan Koupal
Jim-Rec-Ag, Inc.
Box 670
Mitchell, SD 57301

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Koupal:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

Date	LaMoure	Ludden	Columbia**	Ashton	Huron	Forestburg	Scotland
04/06/88	81.2	(state	15.0	37.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	167
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	190	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

The flow in North Dakota at LaMoure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the typed name.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

 Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 28, 1988

NOTICE OF SHUTOFF ORDER

464-3
1752-3
1357-3

TO: Dan Koupal
Jim-Rec-Ag, Inc.
Box 670
Mitchell, SD 57301

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch
By James W. Heston

SUBJECT: Shut Off Order To James River Water Right Holders
Located Between Huron and the Yankton County Line,
Effective 12:00 Noon on July 4, 1988.

I am certain that you are aware that James River Flows are not
enough to supply all water rights. Therefore, to protect the
domestic uses (livestock watering) on the James River, effective
12:00 noon on July 4, 1988 no pumping of water from the James
River is authorized until January 1, 1989 or until further
notice.

Unless conditions change, it appears that no pumping will be
allowed for the remainder of the 1988 irrigation season from the
James River.

Let us know if you have any questions.

cc: Gene Stehly
Rt 4, Box 265
Mitchell SD 57301





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 28, 1989

NOTICE OF SHUTOFF ORDER

1752-3
1357-3
464-3

TO: Dan Koupal
Jim-Rec-Ag, Inc.
Box 670
Mitchell, SD 57301

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

John Hatch

SUBJECT: Shut Off Order to James River Water Right Holders
Located between Huron and I-90 at Mitchell Effective
Noon August 3, 1989.

The flows in the James River have declined at Forestburg to approximately 15 cfs. Therefore to protect domestic uses (livestock watering) on the James River, effective at 12:00 noon on August 3, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from this reach of the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: Gene Stehly, Operator
Rt 4, Box 265
Mitchell SD 57301



SOUTH



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

5207-3

SEP 14 1989

Jim-Rec-Ag Corporation
G.H. Shanard, President
P.O. Box 1023
Mitchell, SD 57301

Dear Mr. Shanard:

Enclosed is Water License No. 5207-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 411889 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

NOTE: The applicable portions of Water Right No. (464-3) and Permit Nos. 1357-3 and 1752-3 are incorporated into this Water License No. 5207-3.

NOT TO SCALE

